

REMARKS

As stated above, the final Office action bearing a mail date 01/04/2007 (Paper No. 12202006) was returned to the U.S. Patent and Trademark Office as undelivered on 8 January 2007, and re-provided to the Applicants by the Examiner on 12 June 2007. In accordance with the telephone interview with the Examiner on 12 June 2007, the period for response has re-started on 12 June 2007, on which date the undelivered final Office action (Paper No. 12202006) was provided to Applicants by the Examiner.

The final Office action(Paper No. 12202006) has been carefully considered. The claims are not amended. Thus, claims 7-18 are pending in the application.

In paragraph 7 of the Office action, the Examiner rejected claims 7, 8, 12, 13, 17 and 18 under 35 U.S.C. §103 for alleged unpatentability over Alexander *et al.*, U.S. Patent No. 6,177,931 in view of Dillon, U.S. Patent No. 6,351,467. In paragraph 8 of the Office action, the Examiner rejected claims 9 thru 11 and 14 thru 16 under 35 U.S.C. §103 for alleged unpatentability over Morrison, U.S. Patent No. 6,359,580 in view of Van Der Vleuten, U.S. Patent No. 6,460,183. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §103.

Basically, in the conventional digital television (TV), the channel selection icon on the digital TV is clicked for channel selection by using a remote controller (*see* paragraphs [0011]-[0013] of the Related Art section of the present application).

In order to avoid this problem, the present invention uses a cookie for storing channel selection page information. A point to be considered is a protocol wherein making a web page for channel selection is prescribed. Without breaking the prescription, the present invention solves this problem by using the cookie for storing the channel selection page which is changed for every channel selection operation whenever using a channel up/down key.

In the prior art cited by the Examiner, there is no disclosure or suggestion of the above-described problem or the solution thereto.

With respect to the rejection of claims 7, 8, 12, 13, 17 and 18 under 35 U.S.C. §103 (*see* paragraph 7 of the final Office action), it is submitted that independent claims 7 and 12 distinguish the invention over the prior art cited by the Examiner.

On page 6 of the final Office action, the Examiner admits that Alexander *et al.* '931 "fails to explicitly disclose producing and storing a first cookie for the channel selection page and producing and storing a second cookie for the changed information of the channel selection page" (quoting from the second complete paragraph on page 6 of the final Office action). The Examiner then cites column 24, line 45 - column 25, line 12 of Dillon '467 as allegedly disclosing first and second cookies as claimed. However, the cited portion of Dillon '467 discusses the generation of cookies by a web server, and the assignment of those cookies by the web server to browsers. Dillon '467 does not disclose or suggest the production/storage of a first cookie for a channel selection page and the

production/storage of a second cookie for changed information of the channel selection page, as recited in claims 7 and 12. Moreover, Dillon '467 does not disclose or suggest the generation of cookies of any type in a digital TV as recited in claim 7, or a digital TV which includes means for generating such cookies as recited in claim 12.

At the top of page 7 of the final Office action, the Examiner contends that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alexander with the teachings of Dillon in order to facilitate producing and storing a first cookie for the channel selection page and producing and storing a second cookie for the changed information of the channel selection page for the benefit of tracking displayed advertisements and reporting usage information back to the provider in order to charge advertisers a corresponding fee" (quoting from the first paragraph on page 7 of the final Office action). However, since Alexander *et al.* '931 does not at all mention cookies, it is doubtful that one of ordinary skill in the art would receive from Alexander *et al.* '931 sufficient motivation or instruction to seek and obtain Dillon '467, and to modify the disclosure of Alexander *et al.* '931 in accordance with Dillon '467.

Furthermore, the cookie of the present invention is provided for the purpose of temporarily storing channel information. This feature of the present invention is different from that of Dillon '467, especially since Dillon '467 states that the cookie should be unique for every use, although the cookie of the present invention does not need to be unique.

Finally, as mentioned above, Dillon '467 does not disclose or suggest the generation, by or in a digital TV, of cookies in general, much less the generation and storage, in a digital TV, of a first cookie for a channel selection page and a second cookie for changed information of a channel selection page, as recited in claims 7 and 12. Thus, even if one of ordinary skill in the art were motivated to seek the disclosure of Dillon '467, the combining of the disclosures of Alexander, *et al.* '931 and Dillon '467 would not result in the invention as claimed.

With respect to dependent claims 8 and 13, on pages 7 and 10 of the final Office action, the Examiner contends that Dillon '467 teaches that "the channel information contained in the second cookie is determined by searching a string contained in the second cookie (Col. 24, line 67- Col. 25, line 25)" (quoting from the second paragraph of the final Office action). However, Dillon '467 does not disclose a "second cookie" as differentiated from a "first cookie" as defined in claims 7, 8, 12 and 13. In addition, the cited portion of Dillon '467 does not at all mention or suggest "searching a string contained in the second cookie" as alleged by the Examiner, and as claimed.

For the above reasons, the rejection of claims 7, 8, 12, 13, 17 and 18 under 35 U.S.C. §103 is not supported by the cited references, and should be withdrawn.

Turning to consideration of the rejection of claims 9 thru 11 and 14 thru 16 under 35 U.S.C. §103 (*see* paragraph 8 of the final Office action), initially, it should be noted that, with respect to the rejection of each of independent claims 9 and 14, the Examiner

has admitted that Morrison '580 does not disclose or suggest one of the steps recited in independent method claim 9 (*see* the third complete paragraph on page 11 of the final Office action), and that Morrison '580 does not disclose or suggest two of the elements or components of the digital TV recited in independent claim 14 (*see* the last paragraph on page 15 of the final Office action). However, as indicated below, actually, Morrison '580 does not disclose any of the steps of independent method claim 9, and does not disclose five of the six steps of independent "digital TV" claim 14.

In the latter regard, on pages 10, 11 and 15 of the final Office action, the Examiner alleges that Morrison '580 discloses production of a channel selection page, citing Figure 2 of the patent. However, Morrison '580 only discloses a source selection page for a given channel (see Figure 2).

On pages 11 and 15 of the final Office action, the Examiner alleges that Morrison '580 discloses extracting channel information from a channel selection page (citing Figure 1 and column 2, line 61-column 3, line 2). However, Morrison '580 actually discloses extracting source information from a source selection page.

On pages 11 and 15, the Examiner contends that Morrison '580 discloses the step of and means for, respectively, changing a current channel to a user input channel and removing a channel selection menu from the display screen. However, as admitted by the Examiner, Morrison '580 discloses removing the source selection menu from the display screen once the user selects a source (see page 11, lines 8-10 of the final Office action).

Thus, Morrison '580 does not disclose changing a current channel to a user input channel and removing a channel selection menu once a user enters the input channel. In fact, in Morrison '580, when the user selects a channel, the system automatically displays a source selection menu, and the source selection menu is removed only after the user selects a source.

Thus, Morrison '580 does not disclose or suggest any of the steps of the method recited in claim 9, and Morrison '580 discloses only one of the components of the apparatus recited in claim 14. Therefore, it is doubtful that one of ordinary skill in the art, upon reviewing the primary reference (Morrison '580), would be motivated or instructed to seek the disclosure of the secondary reference (Van Der Vleuten '183), and it is doubtful that one of ordinary skill in the art would be sufficiently motivated or instructed to modify the disclosure of Morrison '580 in accordance with the disclosure of Van Der Vleuten '183 so as to obtain the present invention. In fact, Morrison '580 does not disclose or suggest any of the steps of method claim 9, and since Morrison '580 discloses only the first "means" of apparatus claim 14, the amount of effort involved in modifying the disclosure of Morrison '580, given the disclosure of Van Der Vleuten '183, so as to obtain the present invention involves an amount of effort which rises above the level of mere obviousness. For the latter reasons, it is submitted that the rejection under 35 U.S.C. §103 constitutes an invalid rejection, and should be withdrawn.

With respect to the citation of Van Der Vleuten '183, contrary to the assertions set forth by the Examiner on pages 11 and 16 of the final Office action, Van Der Vleuten

'183 does not disclose or suggest the production of a channel selection page or means for producing the same. In that regard, the Examiner cites column 5, lines 55-63 of Van Der Vleuten '183, but a review of that portion of the patent does not reveal any disclosure or suggestion of the production of a channel selection page. The most that is disclosed therein is a "history list", but this does not constitute the production of a channel selection page in the context of the present application, including the specification and claims.

On page 4 of the final Office action, the Examiner contends that, "by definition, a 'history list' is a stored information from previous occurrence of events" (quoting from page 4, lines 8-9 of the final Office action). However, the Examiner does not cite any authority, or any reference, which defines "history list" within the context of "channel selection".

In addition, it should be noted that independent claims 9 and 14 recite more than a mere channel selection page. Rather, the claims recite the production of a channel selection page, followed by an "extracting" step and two "changing" steps in the case of claim 9, and means for producing a channel selection page, followed by "extracting", "storing" and two "changing" means in the case of claim 14. These latter features are not disclosed in or suggested by Van Der Vleuten '183 as alleged by the Examiner.

Further considering the invention recited in independent claims 9 and 14, contrary to the assertions contained on pages 11 and 16 of the final Office action, Van Der Vleuten

'183 does not disclose or suggest the step or function of extracting channel information from a channel selection page and storing the extracted channel information in the form of a file, as recited in claims 9 and 14. In that regard, as stated above, Van Der Vleuten '183 does not even disclose or suggest the provision of a channel selection page, and thus it is clear that there is no disclosure or suggestion of the extraction of channel information from such a channel selection page.

In paragraph 5 on page 4 of the final Office action, the Examiner disputes the above arguments by alleging that Van Der Vleuten '183 "discloses [that] a user can display a 'history list' on the television screen, enabling the user to select a preset by picking a preset from the history list" (quoting from page 4, lines 5-7 of the final Office action). In that regard, the Examiner cites column 5, lines 55-63 of Van Der Vleuten '183. However, contrary to the further assertion by the Examiner, in Van Der Vleuten '183, channel information is not extracted from a channel selection page. Rather, as admitted by the Examiner, the history list of Van Der Vleuten '183 merely contains one or more presets which can be selected by the user in order to switch to a given channel. This does not constitute the extraction of channel information from a channel selection page, as claimed in the present application.

In paragraph 5 on page 4 of the final Office action, the Examiner states that display of a history list on the television screen in Van Der Vleuten '183 "reads on extracting channel information from a channel selection page" (quoting from page 4, lines 7-8 of the final Office action), and that "Van Der Vleuten discloses [that] the 'history list' is

reordered each time a channel is selected so [that] each time a channel is selected, the channel information is saved in order to maintain a specific order in the ‘history list’ to allow a user to use the ‘backward’ button as well as the ‘forward’ button with respect to the selected preset from the history list” (quoting from page 4, lines 11-15 of the final Office action).

However, even if “channel information” is extracted in Van Der Vleuten ‘183 (and Applicants do not admit that), the claims call for storage of the extracted channel information in a file, whereas Van Der Vleuten ‘183 describes restorage of all channel information in “a specific order in the history list” (quoting from page 4, line 13 of the final Office action). This is entirely different from the storage step and function recited in claims 9 and 14.

In addition, neither reference discloses or suggests the two “changing” steps or functions recited in claims 9 and 14, especially since the first “changing” step or function is carried out on “the channel information stored in the form of a file” (quoting from claim 9, line 7 and claim 14, line 7), whereas (as stated above) Van Der Vleuten ‘183 does not produce such a file.

Furthermore, the prior art does not disclose or suggest the changing of channel information stored in the form of a file in response to operation of a channel up/down key of a remote controller by the user, as recited in independent claims 9 and 14.

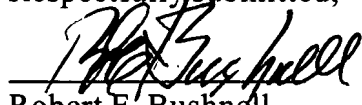
Finally, a review of the citations to Van Der Vleuten '183 set forth by the Examiner in paragraph 8 on pages 12, 13, 16 and 17 of the final Office action do not support the contention that the steps and functions of claims 9 and 14, respectively, are disclosed in or suggested by Van Der Vleuten '183.

For the above reasons, it is submitted that the invention recited in independent claims 9 and 14 (and their associated dependent claims) is distinguishable from the prior art so as to preclude rejection under 35 U.S.C. §103.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Response after Final.

Respectfully submitted,



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Date: 8/8/07
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